

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**PAUL LOUGH,**

**Plaintiff,**

**v.**

**No. 16-cv-0338 JCH/SMV**

**BNSF RAILWAY COMPANY,**

**Defendant.**

**ORDER GRANTING DEFENDANTS' MOTION  
TO EXTEND EXPERT DISCLOSURE DEADLINE**

THIS MATTER is before the Court on Defendant's Motion to Extend Defendant's Expert Disclosure Deadline [Doc. 68], filed on June 1, 2018. Plaintiff has not responded, and the time for doing so has passed. *See* D.N.M.LR-Civ. 7.4(a) ("A response must be served and filed within fourteen (14) calendar days after service of the motion."). Pursuant to Local Rule 7.1(b), "[t]he failure of a party to file and serve a response in opposition to a motion within the time prescribed for doing so constitutes consent to grant the motion." Accordingly, Plaintiff is deemed to have consented to the motion being granted.<sup>1</sup>

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that Defendant's Motion to Extend Defendant's Expert Disclosure Deadline [Doc. 68] is **GRANTED**. Defendant's expert disclosure deadline is extended to **July 1, 2018**.

**IT IS SO ORDERED.**



**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**

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<sup>1</sup> Defendant indicates that Plaintiff's counsel did not respond to its request for concurrence. [Doc. 68] at 2.